

**CALENDAR ITEM
INFORMATIONAL**

55

A Statewide

08/09/16
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**LEGISLATIVE REPORT PROVIDING INFORMATION AND A STATUS UPDATE
CONCERNING STATE LEGISLATION RELEVANT TO THE
CALIFORNIA STATE LANDS COMMISSION**

INTRODUCTION:

The purpose of this staff report is to update the Commission on proposed state legislation relevant to the Commission's authority and jurisdiction.

SUMMARY:

The second half of the 2015-16 state legislative session is nearing its August 31, 2016 adjournment. This informational item provides an update on legislation the Commission is sponsoring or supporting and summarizes legislation that may be of interest to the Commission.

The Commission is sponsoring SB 1172 (Hancock) that repeals and grants anew Public Trust lands to the city of Albany with updated terms and conditions that align with the City's waterfront planning efforts, and SB 1473 (Senate Natural Resources and Water Committee) that repeals an obsolete grant to the county of Los Angeles that was never effectuated. The Commission is supporting SB 900 (Jackson) that would establish and fund a coastal hazard removal and legacy oil and gas well remediation program. Additionally, Commission staff is working with Assemblymember Chiu, the Port of San Francisco, and the San Francisco Bay Conservation and Development Commission on AB 2797, which involves the San Francisco Giants Mission Rock development project near AT&T Ballpark. AB 2797 would, among other things, authorize the Port of San Francisco to use trust revenue derived from parcels at Seawall Lot 337 to make advances (loans) to the city of San Francisco to fund infrastructure on the site or serving the site, if the Commission approves the advances.

Commission staff is also working with Senator Hertzberg, the California Department of Fish and Wildlife, the California Natural Resources Agency and California Coastal Commission on SB 233; a 2-year bill that would change the program under which an offshore oil platform owner or operator may request to partially remove a platform, leaving behind the underwater structure as an

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artificial reef for marine habitat. SB 233 establishes the Commission as lead agency for the California Environmental Quality Act review for platforms in state waters, and ensures that partially removed platforms in state waters operate under a lease authorized by the Commission.

DOCKTOWN MARINA:

At the April 2016 meeting the Commission directed staff to work with Redwood City's Docktown Marina residents and the City's legislative representatives on legislation that would allow residents to remain in their floating homes for a period of time. Commission staff complied with the Commission's direction. Senator Hill and Assemblymember Mullin, however, decided against introducing legislation at this time because: (1) the City is in the process of preparing a plan for the Docktown marina that is required under a recent settlement agreement; (2) the City is conducting an environmental assessment of the creek—also a condition in the settlement agreement; and (3) many residents expressed opposition to the draft legislation. Senator Hill is amenable to revisiting legislation in January 2017 if residents at Docktown marina support the legislation.

LEGISLATION:

Below is a summary of legislation staff is monitoring.

Idle or Orphan Oil and Gas Wells and Coastal Hazards

AB 2729 (Williams) would increase fees on idle wells to generate revenue to plug and abandon the approximately 20,000 idle wells throughout California, unless an operator has an approved idle well management plan with an aggressive schedule for closing idle wells. It would also expand the definition of idle wells, increase bonding requirements, and make other changes to encourage operators to properly plug and abandon idle wells.

SB 900 (Jackson) would require the Commission, if the Legislature appropriates funding, to administer a coastal hazard remediation program. The program would require the Commission to inventory legacy oil and gas wells and other coastal hazards along the coastline, survey, study, and monitor natural oil seeps in state waters, and begin the process of remediating improperly abandoned oil and gas wells that are a high risk for leaking oil. The bill would also allow the Commission to work with the Department of Conservation's Division of Oil, Gas, and Geothermal Resources to abandon legacy wells that are hazardous to public health, safety, and the environment. The Commission voted to support this bill on February 9, 2016; Controller Yee is sponsoring the bill.

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AB 2756 (Thurmond and Williams) would strengthen the Division of Oil, Gas and Geothermal Resources' enforcement, investigation, and shut-in authority for oil and gas well regulatory violations and allow the Division to permit environmentally beneficial projects in lieu of paying up to 50 percent of a civil penalty.

Diablo Canyon Nuclear Power Plant

SB 968 (Monning) would require the California Public Utilities Commission to procure an assessment of the adverse and beneficial economic impacts to San Luis Obispo County and the surrounding regions if the power plant were to shut down before the current operating licenses expire or if Pacific Gas and Electric (PG&E) decides not to pursue licensing renewal.

A portion of the facilities at the power plant, including the cooling water discharge channel and water intake structure and breakwaters, are located on State-owned sovereign land under the Commission's jurisdiction. In 1969, the Commission authorized a 49-year lease to PG&E for the plant water intake structures and breakwaters. In June 2016, PG&E, Friends of the Earth, Natural Resources Defense Council, Environment California, International Brotherhood of Electrical Workers Local 1245, Coalition of California Utility Employees, and Alliance for Nuclear Responsibility announced a joint agreement to retire both nuclear reactors at Diablo Canyon and replace the nuclear power generated there with renewable energy.

On June 28, 2016, the Commission authorized a new lease to PG&E for the continued use and maintenance of the existing cooling water discharge channel, water intake structure, breakwaters, boat dock, storage facility, office facilities, intake electrical room, intake maintenance shop, equipment storage pad, and spare tri-bar storage associated with the power plant. The new lease terminates on August 26, 2025, which corresponds with the termination of PG&E's operating license with the Nuclear Regulatory Commission.

Salton Sea

SB 1416 (Stone) would allow individuals to donate excess tax liability to the Revive the Salton Sea Fund that the bill creates. The bill would require the Franchise Tax Board to revise its tax return form to include a space for this new designation. Revenue contributed to the fund, upon legislative appropriation, would reimburse costs to the nonprofit corporation Revive the Salton Sea for

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funding restoration and maintenance at the Salton Sea, and to raise public awareness. The Commission has certain fee ownership and mineral interests, including four active geothermal leases, in portions of the Salton Sea and the surrounding area.

Ports, Harbors, and Freight Movement

Senator Hancock is authoring a package of four bills to constrain coal exports in California and at a terminal in Oakland, though only SB 1277 and SB 1279 appear to be proceeding. SB 1277 would require a public agency with discretionary authority over a proposed project that is necessary for the shipment of coal at a proposed Oakland port facility to prepare a supplemental environmental impact report to consider and mitigate the environmental impacts of coal shipments. The second bill, SB 1278, would require every public agency with discretionary approval of any portion of a project relating to shipping coal through the Port of Oakland to prepare or cause to prepare an Environmental Impact Report.

The third bill, SB 1279, would prohibit the California Transportation Commission from programming or allocating state funds for proposed projects at ports that handle, store, or transport coal. This bill would also require the Transportation Commission to evaluate every project it considers to determine whether it will facilitate coal transportation. SB 1280, the fourth bill, would require port facilities that ship bulk commodities and receive state funds to prohibit coal shipments or fully mitigate the greenhouse gas emissions associated with coal combustion.

SB 1338 (Lara) would provide a partial sales and use tax exemption for zero and near zero-emission equipment at California ports. The bill defines zero-emission or near-zero-emission equipment as equipment, off-road vehicles, and related technologies used within the boundaries of a California public seaport that reduce or eliminate greenhouse gas emissions and improve air quality as identified by the California Air Resources Board in consultation with the State Energy Resources Conservation and Development Commission. Zero-emission and near-zero emission equipment may also include advanced or alternative fuel engines and hybrid or alternative fuel technologies for seaport equipment.

AB 2170 (Frazier) would require that federal funding for freight-related infrastructure projects apportioned to California from the Fixing America's Surface Transportation Act are deposited into the Trade Corridor Improvement Fund and apportioned to state, regional, and local transportation entities. The bill

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would also update the list of plans guiding the Trade Corridor Improvement Fund by deleting references from the obsolete port master plan the California Marine and Intermodal Transportation System Advisory developed, and from the Air Resources Board Sustainable Freight Strategy that the California Sustainable Freight Action Plan will eclipse in July 2016.

AB 1780 (Medina) would continuously appropriate 20 percent of annual greenhouse gas reduction fund revenues to the Trade Corridor Improvement Fund that the California Transportation Commission would distribute under the Trade Corridor Improvement Fund guidelines.

Sea-level Rise and Climate Change

SB 1161 (Allen) would extend the statute of limitations under the Unfair Competition Law for public deception about climate science. The author states that recent research shows nearly two-thirds of all industrial carbon dioxide and methane released into the atmosphere since the industrial revolution can be traced to 90 entities. The top five companies on the list—Chevron, ExxonMobil, British Petroleum, Shell, and ConocoPhillips—are purportedly responsible for one-eighth of all emissions. A coalition of industry groups oppose this bill and a coalition of environmental groups support this bill.

California Coastal Commission

Several bills are pending addressing the California Coastal Commission. The Chair of the State Lands Commission is an ex officio, non-voting member of the Coastal Commission. SB 1190 (Jackson) would ban private conversations between a Commissioner and someone with business before the Commission. Current law allows ex parte communications if they are disclosed in writing or, if they occurred less than seven days before a meeting, verbally at that meeting.

AB 2002 (Stone, Atkins and Levine) is a two-thirds vote bill that would require a person who lobbies the Coastal Commission to register as a lobbyist with the Secretary of State and disclose his or her clients and expenditures consistent with the Political Reform Act of 1974 requirements. AB 2616 (Burke), would increase the Coastal Commission membership from 15 to 18 and require new Commissioners to represent and work with communities that are heavily burdened by, and vulnerable to, pollution and environmental justice issues.

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Additional Legislation

AB 2139 (Williams) would require the Ocean Protection Council to coordinate and facilitate research with relevant public agencies with ocean protection responsibilities to do all of the following: (1) Generate an inventory of areas that are most vulnerable to ocean acidification; (2) Develop, refine, and integrate predictive models of ocean acidification and hypoxia; (3) Inventory the co-location of protected areas and areas vulnerable to ocean acidification and hypoxia; (4) Facilitate agreements and work with organizations that fund ocean acidification and hypoxia research to establish joint research priorities; and (5) Define gaps between ocean acidification monitoring efforts and management needs in coordination with relevant state, federal, and academic entities. The bill would require, beginning on January 1, 2018, the Ocean Protection Council to annually adopt recommendations for further actions to address ocean acidification.

SB 1333 (Block) would ban smoking and cigarette waste disposal on state coastal beaches and at state parks. The bill would establish fines of up to \$250 for violations and would require the California Department of Parks and Recreation to post signs indicating that smoking is prohibited.

SB 1363 (Monning) would require the California Ocean Protection Council, in coordination with the State Coastal Conservancy, to establish and administer an Ocean Acidification and Hypoxia Reduction Program to achieve certain goals, including generating an inventory of locations where conservation or restoration of aquatic habitats can be successfully applied to mitigate ocean acidification and hypoxia. Another goal would be to consider carbon dioxide removal during the habitat restoration planning process to fully account for the benefits of long-term carbon storage of habitat restoration in addition to habitat value.

CONCLUSION:

Commission staff will continue to monitor these bills and update the Commission at subsequent meetings or as requested. This monitoring is consistent with the Commission's 2016-2020 Strategic Plan Strategy 3.1—Foster, improve and enhance relationships to engage the Legislature, public, local, state and federal agencies, legislative grantees, Commission lessees, potential applicants, non-governmental organizations and the regulated community.

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Below are deadlines for bills pending in the California Legislature.

August 31, 2016 – Last day for each house to pass bills, except bills that take effect immediately or bills in Extraordinary Session. Final recess begins upon adjournment.

September 30 – Last day for the Governor to sign or veto bills passed by the Legislature before September 1, 2016, and in the Governor's possession on or after September 1, 2016.

EXHIBIT:

A. Legislative Report

Exhibit A - 2016 Legislative Summary

[AB 2002](#)

(Stone, Mark D) Political Reform Act of 1974: California Coastal Commission: communications.

Introduced: 2/16/2016

Last Amend: 4/12/2016

Location: 8/1/2016 – Senate – Committee on Appropriations Suspense File

Summary: Would require a California Coastal Commission member to fully disclose in writing 24 hours before a commission hearing any ex parte communication conducted within 7 days of the commission hearing relating to a matter that will be discussed at the hearing, and would prohibit a commission member or an interested person from conducting such an ex parte communication within 24 hours before the commission hearing. This bill contains other related provisions and other existing laws.

[AB 2139](#)

(Williams D) Ocean Protection Council: ocean acidification.

Introduced: 2/17/2016

Last Amend: 8/2/2016

Location: 8/2/2016 – Senate – Committee on Appropriations

Summary: Current law establishes the Ocean Protection Council in state government and prescribes the membership, functions, and duties of the council with regard to the protection and conservation of ocean and coastal resources. This bill would, subject to the availability of funding, authorize the council to develop an ocean acidification and hypoxia science task force to ensure that council decisionmaking is supported by the best available science, and require the council to take specified actions to address ocean acidification and hypoxia and, beginning January 1, 2018, and annually thereafter, at its first meeting of the year, adopt recommendations for further actions that may be taken to address ocean acidification and hypoxia.

[AB 2305](#)

(Bloom D) Protection of orcas: unlawful activities.

Introduced: 2/18/2016

Last Amend: 4/14/2016

Location: 5/27/2016 – Assembly – **DEAD**

Summary: Would make it unlawful to hold in captivity an orca, whether wild-caught or captive-bred, for any purpose, including for display, performance, or entertainment purposes; to breed or impregnate an orca held in captivity; to export, collect, or import the semen, other gametes, or embryos of an orca held in captivity for the purpose of artificial insemination; or to export, transport, move, or sell an orca located in the state to another state or country, except as provided. This bill contains other related provisions and other existing laws.

[AB 2616](#)

(Burke D) California Coastal Commission: environmental justice.

Introduced: 2/19/2016

Last Amend: 8/2/2016

Location: 8/2/2016 – Senate – Committee on Appropriations

Summary: Current law, the California Coastal Act of 1976, establishes the California Coastal Commission and prescribes the membership and functions and duties of the commission. Current law provides that the commission consists of 15 members. This bill would require that three of the 12 voting representatives be individuals who reside in, and work directly with, communities in the state that are disproportionately burdened by, and vulnerable to, high levels of pollution and issues of environmental justice. The bill would require that the Governor, the Senate Committee on Rules, and the Speaker of the Assembly each appoint a member so qualified to a vacant position from the appointments available, no later than the fourth appointment of each appointing authority after January 1, 2017.

[AB 2713](#)

(Chiu D) Land use: local ordinances: energy systems.

Introduced: 2/19/2016

Last Amend: 4/27/2016

Location: 5/27/2016 – Assembly – **DEAD**

Summary: Would, on or before September 30, 2017, for a city, county, or city and county with a population of 200,000 or more residents, or January 31, 2018, for a city, county, or city and county with a population of less than 200,000 residents, require the city, county, or city and county to make all documentation and forms associated with the permitting of advanced energy storage available on a publicly accessible Internet Web site.

Exhibit A - 2016 Legislative Summary

[SB 1082](#)

(McGuire D) Regional park and open-space districts: general manager: powers.

Introduced: 2/17/2016

Last Amend: 3/28/2016

Location: 7/1/2016 – Senate – Chaptered – [Chapter 52, Statutes of 2016](#)

Summary: Current law grants that authority to the general managers of the East Bay Regional Park District and the Midpeninsula Regional Open Space District with respect to the payment of amounts not exceeding \$50,000. Would also grant that authority with respect to the payment of amounts not exceeding \$50,000 to the general manager of the Sonoma County Agricultural Preservation and Open Space District. This bill contains other related provisions.

[SB 1190](#)

(Jackson D) California Coastal Commission: ex parte communications: staff communications.

Introduced: 2/18/2016

Last Amend: 6/8/2016

Location: 6/28/2016 – Assembly – Committee on Appropriations

Summary: Would prohibit a California Coastal Commission member or an interested person from intentionally conducting any ex parte communication or any oral or written communication regarding a pending enforcement investigation that does not occur in a public hearing, workshop, or other official proceeding, or on the official record of the proceeding on the matter.

[SB 1473](#)

(Committee on Natural Resources and Water) Natural resources.

Introduced: 2/29/2016

Last Amend: 8/1/2016

Location: 8/1/2016 – Assembly – Committee on Appropriations

Summary: The California Constitution provides for the delegation to the Fish and Game Commission of powers relating to the protection and propagation of fish and game. Current statutory law delegates to the commission the power to regulate the taking or possession of birds, mammals, fish, amphibians, and reptiles, except as provided. Current law establishes procedures that are specific to regulations adopted by the commission pursuant to this authority. This bill would clarify that those procedures apply generally to any commission regulation that governs the take or possession of any bird, mammal, fish, amphibian, or reptile, except as provided.

Granted Lands

[AB 1780](#)

(Medina D) Greenhouse Gas Reduction Fund: trade corridors.

Introduced: 2/7/2016

Last Amend: 3/28/2016

Location: 5/27/2016 – Assembly – **DEAD**

Summary: Would, beginning in the 2016-17 fiscal year, continuously appropriate 20% of the annual proceeds of the Greenhouse Gas Reduction Fund to the California Transportation Commission to be allocated to reduce greenhouse gas emissions in trade corridors consistent with specified guidelines, thereby making an appropriation.

[AB 2170](#)

(Frazier D) Trade Corridors Improvement Fund: federal funds.

Introduced: 2/18/2016

Last Amend: 8/2/2016

Location: 8/2/2016 – Senate – Committee on Appropriations

Summary: The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund and provided for allocation by the California Transportation Commission of \$2 billion in bond funds for infrastructure improvements on highway and rail corridors that have a high volume of freight movement, and specified categories of projects eligible to receive these funds. Current law continues the Trade Corridors Improvement Fund in existence in order to receive revenues from sources other than the bond act for these purposes. This bill would require revenues apportioned to the state from the National Highway Freight Program established by the federal Fixing America's Surface Transportation Act to be allocated for trade corridor improvement projects approved pursuant to these provisions.

Exhibit A - 2016 Legislative Summary

[AB 2731](#)

(O'Donnell D) Vehicles: Terminal Island Freeway: special permits.

Introduced: 2/19/2016

Last Amend: 6/8/2016

Location: 6/23/2016 – Senate – Third Reading

Summary: Current law authorizes the Department of Transportation, upon adoption of an ordinance or resolution by the City of Carson, the City of Long Beach, and the City of Los Angeles, to issue a special permit to the operator of a vehicle, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on specified routes in those cities if the vehicle, combination, or equipment meets specified criteria. Those criteria include that the vehicle, combination of vehicles, or mobile equipment is used to transport intermodal cargo containers that are moving in international commerce, and that the maximum gross weight of the vehicles and loads not exceed 95,000 pounds gross vehicle weight. This bill would require the above-mentioned ordinance or resolution to conform with the weight limits determined by the Department of Transportation.

[AB 2797](#)

(Chiu D) City and County of San Francisco: Mission Bay South Project: redevelopment plan

Introduced: 2/19/2016

Last Amend: 6/22/2016

Location: 6/29/2016 – Senate – Committee on Appropriations

Summary: Current law declares that, until January 1, 2094, certain parcels of real property denominated as the designated seawall lots are free from the use requirements of the public trust, the Burton Act trust, and the Burton Act transfer agreement, and authorizes the San Francisco Port Commission to lease all or a portion of the designated seawall lots for nontrust uses if specified conditions are met, including that the lease shall terminate no later than January 1, 2094. This bill would revise those conditions to specify that the term of a nontrust lease shall not exceed 75 years from the initial occupancy date of the improvements developed on the leased site or development parcel, and in no event shall the term of a nontrust lease extend beyond December 31, 2120.

[AB 2841](#)

(Allen, Travis R) State infrastructure financing for seaports.

Introduced: 2/19/2016

Last Amend: 4/6/2016

Location: 5/27/2016 – Assembly – **DEAD**

Summary: Would require the Infrastructure and Economic Development Bank, after consulting with appropriate state and local agencies, to establish criteria, priorities, and guidelines for the selection of infrastructure development and equipment purchase projects submitted by harbor agencies for assistance from the bank. The bill would require the harbor agency to adopt a resolution that includes specified information, including, among others, the state fiscal and economic impacts estimated to result from the proposed infrastructure development or equipment purchase project.

[SB 1172](#)

(Hancock D) Tidelands and submerged lands: City of Albany.

Introduced: 2/18/2016

Last Amend: 8/1/2016

Location: 8/1/2016 – Assembly – Committee on Appropriations

Summary: Current law grants in trust to the City of Albany certain designated tidelands and submerged lands, both filled and unfilled, for specified uses. This bill would delete specified provisions and instead require that, on and after January 1, 2022, the use of those trust lands, as described, conform to an approved trust lands use plan, prescribed by the bill, and all leases or agreements proposed or entered into by the City of Albany, as trustee of those lands, also be consistent with the public trust doctrine, as defined, and conform to the plan.

Exhibit A - 2016 Legislative Summary

[SB 1277](#)

([Hancock](#) D) California Environmental Quality Act: supplemental environmental impact report: City of Oakland: coal shipment.

Introduced: 2/19/2016

Last Amend: 4/4/2016

Location: 6/28/2016 – Assembly – Committee on Appropriations

Summary: Would require a public agency, with discretionary approval over a project necessary for, and directly related to, the use of a certain port facility in the City of Oakland for the shipment of coal, to prepare or cause to be prepared a supplemental EIR to consider and mitigate the environmental impacts of coal shipment through the facility. This bill contains other related provisions and other existing laws.

[SB 1278](#)

([Hancock](#) D) California Environmental Quality Act: Port of Oakland: coal shipment.

Introduced: 2/19/2016

Last Amend: 3/30/2016

Location: 4/22/2016 – Senate – **DEAD**

Summary: Would require every public agency with discretionary approval of any portion of a project relating to the shipment of coal through the Port of Oakland to prepare or cause to prepare an EIR.

[SB 1279](#)

([Hancock](#) D) California Transportation Commission: funding prohibition: coal shipment.

Introduced: 2/19/2016

Last Amend: 6/20/2016

Location: 6/28/2016 – Assembly – Committee on Appropriations

Summary: Would, except as specified, prohibit the California Transportation Commission from programming or allocating any state funds for any newly proposed project that proposes to allow or facilitate the handling, storage, or transportation of coal in bulk at a port facility that is located at, or adjacent to, a disadvantaged community. The bill would require a grantee of funds subject to the above prohibition to annually report to the commission that the project is not being used to handle, store, or transport coal in bulk.

[SB 1280](#)

([Hancock](#) D) California Environmental Quality Act: coal shipments: mitigation.

Introduced: 2/19/2016

Last Amend: 3/30/2016

Location: 4/22/2016 – Senate – **DEAD**

Summary: Would prohibit a lead agency from adopting a negative declaration or a mitigated negative declaration or certifying an EIR for a project affecting the shipment of commodity through a port facility that is receiving state funds from the Trade Corridors Improvement Fund unless the lead agency either prohibits coal shipment through the port facility or requires full and complete mitigation of the emissions of greenhouse gases resulting from the combustion of coal shipped through the port facility, as determined by the State Air Resources Board.

[SB 1338](#)

([Lara](#) D) Sales and use taxes: exemption: zero-emission and near-zero-emission equipment.

Introduced: 2/19/2016

Last Amend: 5/4/2016

Location: 6/9/2016 – Assembly – Committee on Revenue and Taxation

Summary: Would, except as specified, prohibit the California Transportation Commission from programming or allocating any state funds for any newly proposed project that proposes to allow or facilitate the handling, storage, or transportation of coal in bulk at a port facility that is located at, or adjacent to, a disadvantaged community. The bill would require a grantee of funds subject to the above prohibition to annually report to the commission that the project is not being used to handle, store, or transport coal in bulk.

Exhibit A - 2016 Legislative Summary

Marine Environmental Protection

[SB 1083](#)

(Allen D) California oil spill contingency plan.

Introduced: 2/17/2016

Last Amend: 4/28/2016

Location: 5/27/2016 – Senate – **DEAD**

Summary: Current law directs the Governor to require the administrator for oil spill response to amend, not in conflict with the National Contingency Plan, the California oil spill contingency plan to provide for the best achievable protection of waters of the state and to include specified elements. This bill would require a communications element to be developed by the administrator and included in the California oil spill contingency plan.

Mineral Resources

[AB 2729](#)

(Williams D) Oil and gas: operations.

Introduced: 2/19/2016

Last Amend: 8/1/2016

Location: 8/1/2016 – Senate – Committee on Appropriations

Summary: Current law provides that an active observation well is not an idle well. This bill would limit the definition of "active observation well," and would expand the definitions of "idle well" and "long-term idle well" by no longer excluding active observation wells from their definitions. The bill would provide that the abandoned underground personal property, including a well, of an operator becomes the property of the mineral interest owner when the operator loses the right to remove the personal property under common law or under a lease or any other agreement that initially gave the operator the right to drill, operate, maintain, or control the well.

Sea-Level Rise / Climate Change

[AB 2413](#)

(Thurmond D) Sea level rise preparation.

Introduced: 2/19/2016

Location: 4/22/2016 – Assembly – **DEAD**

Summary: Current law, until January 1, 2018, requires the Natural Resources Agency to create, biannually update, and post on an Internet Web site a Planning for Sea Level Rise Database, as specified, and requires specified entities to provide to the agency certain sea level rise planning information for inclusion in the database. This bill would require the agency, on or before January 1, 2019, to complete a study outlining the potential impact of sea level rise on low-income and at-risk communities and public projects and infrastructure. The bill would require the agency, based on the study, to make recommendations on preparing for sea level rise.

[AB 2702](#)

(Atkins D) Greenhouse gases: study.

Introduced: 2/19/2016

Last Amend: 3/18/2016

Location: 5/27/2016 – Assembly – **DEAD**

Summary: Would require the State Air Resources Board to conduct a study that outlines best practices and policies for meeting state goals to reduce greenhouse gas emissions. The bill also would authorize the state board to collaborate with air pollution control and air quality management districts.

Exhibit A - 2016 Legislative Summary

[AB 2722](#)

(Burke D) Transformative Climate Communities Program.

Introduced: 2/19/2016

Last Amend: 8/2/2016

Location: 8/2/2016 – Senate – Committee on Appropriations

Summary: Would create the Transformative Climate Communities Program, to be administered by the Strategic Growth Council. The bill would require the council, in coordination with the California Environmental Protection Agency Assistant Secretary for Environmental Justice and Tribal Affairs, to award competitive grants to specified eligible entities for the development of transformative climate community plans, and projects that implement plans, that contribute to the reduction of emissions of greenhouse gases and demonstrate potential climate, economic, workforce, health, and environmental benefits in disadvantaged communities that have a demonstrated need for climate, economic, workforce, health, and environmental benefits.

[SB 1294](#)

(Pavley D) The Community Climate and Drought Resilience Program of 2016.

Introduced: 2/19/2016

Last Amend: 4/27/2016

Location: 5/27/2016 – Senate – **DEAD**

Summary: Would enact the Community Climate and Drought Resilience Program of 2016 and would require CalFire to review the urban forestry program and, if necessary, revise the program to provide funding priority to multibenefit carbon sequestration projects and to establish local or regional targets for urban tree canopy. This bill contains other related provisions and other existing laws.

Sovereign / School Lands

[AB 2446](#)

(Gordon D) State Water Resources Control Board: judicial review

Introduced: 2/19/2016

Last Amend: 8/1/2016

Location: 8/1/2016 – Senate – Third Reading

Summary: The Porter-Cologne Water Quality Control Act, within 30 days of any action or failure to act by a California regional water quality control board under specified law, authorizes an aggrieved person to petition the State Water Resources Control Board to review that action or failure to act. Current law authorizes the state board, in the case of such a review, upon notice and hearing, if a hearing is requested, to stay in whole or in part the effect of the decision and order of a regional board or of the state board. This bill would expand that provision to authorize the state board to issue a stay in the case of review by the state board of a decision or order issued under authority delegated to an officer or employee of the state board where the state board by regulation has authorized a petition for reconsideration by the state board.

[AB 2534](#)

(Nazarian D) Santa Monica Mountains Conservancy: working group: Los Angeles River Greenway.

Introduced: 2/19/2016

Last Amend: 6/30/2016

Location: 8/1/2016 – Senate – Committee on Appropriations Suspense File

Summary: Would require the Santa Monica Mountains Conservancy to establish the Los Angeles River San Fernando Valley Regional Access and Economic Sustainability Working Group to evaluate and make recommendations for conservancy action pertaining to public access and business integration needs, opportunities, and constraints in areas along and in the vicinity of the Los Angeles River in the San Fernando Valley.

Exhibit A - 2016 Legislative Summary

[AB 2774](#)

(Frazier D) Classification of state lands.

Introduced: 2/19/2016

Location: 5/6/2016 – Assembly – **DEAD**

Summary: Current law establishes the State Lands Commission and prescribes the membership, functions, and duties of the commission with regard to the protection, preservation, and management of state lands. Current law authorizes the commission, from time to time, to classify any or all state land for its different possible uses and, when it is deemed advisable, to require any officer, organization, agency, or institution of the state government to make that classification. This bill would make non-substantive changes in those provisions relating to the classification of state lands.

[SB 900](#)

(Jackson D) State lands: coastal hazard removal and remediation program.

Introduced: 1/21/2016

Last Amend: 5/31/2016

Location: 6/28/2016 – Assembly – Committee on Appropriations

Summary: Current law, the State Lands Commission has jurisdiction over various state lands, including coastal lands. This bill would, upon appropriation of moneys by the Legislature, require the commission to, within two years, administer a coastal hazard removal and remediation program, as specified. The bill would authorize the commission to seek and accept on behalf of the state any gift, bequest, devise, or donation whenever the gift and the terms and conditions thereof will aid in actions undertaken to administer that program.

[SB 968](#)

(Monning D) Diablo Canyon Units 1 and 2 powerplant.

Introduced: 2/8/2016

Last Amend: 8/1/2016

Location: 8/1/2016 – Assembly – Committee on Appropriations

Summary: Would require the Public Utilities Commission to cause an assessment to be completed by no later than July 1, 2018, conducted by an independent third party, selected as specified, of the adverse and beneficial economic impacts, and net economic effects, that could occur, and of potential ways for the state and local jurisdictions to mitigate the adverse economic impact, if the Diablo Canyon Units 1 and 2 powerplant were to temporarily or permanently shut down before the powerplant's current operating licenses expire or when the Pacific Gas and Electric Company closes the powerplant upon the expiration of its current licenses.

[SB 1333](#)

(Block D) State beaches and parks: smoking ban.

Introduced: 2/19/2016

Last Amend: 8/1/2016

Location: 8/1/2016 – Assembly – Committee on Appropriations

Summary: Current law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco-related product within 25 feet of a playground or tot lot sandbox area. This bill would make it an infraction for a person to smoke, as defined, on a state coastal beach or in a unit of the state park system or to dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system. The bill would establish a state-mandated local program by creating a new crime. This bill contains other related provisions and other current laws.

[SB 1363](#)

(Monning D) Ocean Protection Council: Ocean Acidification and Hypoxia Reduction Program.

Introduced: 2/19/2016

Last Amend: 6/29/2016

Location: 6/29/2016 – Assembly – Committee on Appropriations

Summary: Would require the Ocean Protection Council, in consultation with the State Coastal Conservancy and other relevant entities, to establish and administer the Ocean Acidification and Hypoxia Reduction Program for the purposes of achieving specified goals. The bill would authorize moneys in the trust fund to be expended for grants or loans for projects or activities that further public purposes consistent with the Ocean Acidification and Hypoxia Reduction Program.

Exhibit A - 2016 Legislative Summary

[SB 1374](#)

(Lara D) The Lower Los Angeles River Recreation and Park District Act

Introduced: 2/19/2016

Last Amend: 8/2/2016

Location: 8/2/2016 – Assembly – Committee on Appropriations

Summary: Would specifically authorize the establishment of the Lower Los Angeles River Recreation and Park District subject to specified existing laws governing recreation and park districts, including their formation, except as provided. The bill would authorize nine specified city councils and the Los Angeles County Board of Supervisors to appoint the initial board of directors of the district. This bill contains other related provisions and other existing laws.

[SB 1386](#)

(Wolk D) Resource conservation: working and natural lands.

Introduced: 2/19/2016

Last Amend: 8/1/2016

Location: 8/1/2016 – Assembly – Committee on Appropriations

Summary: Would declare it to be the policy of the state that the protection and management of natural and working lands is an important strategy in meeting the state's greenhouse gas reduction goals, and would require all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands.

[SB 1396](#)

(Wolk D) Wildlife Conservation Board: Inner Coast Range Program.

Introduced: 2/19/2016

Last Amend: 5/31/2016

Location: 7/1/2016 – Assembly – **DEAD**

Summary: Would establish the Inner Coast Range Program with specified goal areas and authorization related to the Inner Coast Range Region. This bill would require the Wildlife Conservation Board to establish an advisory board for the program consisting of one representative of each of the counties within the region and would authorize the board to invite certain legislators and representatives of state and federal agencies to participate as members on the advisory board.

[SB 1416](#)

(Stone R) Voluntary contribution: Revive the Salton Sea Fund.

Introduced: 2/19/2016

Last Amend: 6/15/2016

Location: 6/22/2016 – Assembly – Committee on Appropriations

Summary: Would allow an individual to designate on his or her tax return that a specified amount in excess of his or her tax liability be transferred to the Revive the Salton Sea Fund, which would be created by this bill. The bill would prohibit a voluntary contribution designation for the Revive the Salton Sea Fund from being added on the tax return until another voluntary contribution designation is removed or a space is available and would require, once the designation is added, specified information to be on the tax form, including the purposes for which the contribution would be used.